



Eric W. Cernyar, P.C.

ATTORNEY AT LAW & REGISTERED PATENT ATTORNEY

E-mail: ecernyar@satx.rr.com

10401 Fox Hollow
San Antonio, TX 78217

Telephone: (210) 863-0063
Facsimile: (210) 590-9473

December 22, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Applicant: David M. Tumey
Serial No.: 09/488,390
Filed: 1/19/2000
Title: Animated Toy Utilizing Artificial Intelligence and Facial Image
Recognition
Our File No.: TUMEY.001

Dear Sir or Madam:

Enclosed please find:

1. Transmittal Form;
2. Supplemental IDS Statement
3. IDS Form;
4. Copies of 5 U.S. patent references;
5. Addressed postcard to be returned upon receipt.

No fees are believed to be required for this submission. The Commissioner of Patents is, however, authorized to deduct any fees that may be required from Eric W. Cernyar, P.C.'s deposit account no. 502,906.

Respectfully submitted,

Eric W. Cernyar
Reg. No. 45,919
Attorney for Applicant
(210) 863-0063 (phone)
(210) 590-9473 (fax)
ecernyar@satx.rr.com (e-mail)

2623

#12

REC

DEC 30 2003

TC 2800

RECEIVED

DEC 30 2003

Technology Center 2600



TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/488,390
	Filing Date	1/19/2000
	First Named Inventor	David M. Tumey
	Art Unit	2623
	Examiner Name	Vikkram Bali
Total Number of Pages in This Submission	Attorney Docket Number	Tumey.001

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): return postcard
<div>Remarks</div> <div>RECEIVED DEC 30 2003 Technology Center 2600</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Eric W. Cernyar, Reg. No. 45,919
Signature	<i>Eric W. Cernyar</i>
Date	Dec. 22, 2003

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Eric W. Cernyar		
Signature	<i>Eric W. Cernyar</i>	Date	Dec. 22, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATE PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David M. Tumey et al.

Serial No.:09/488,390

Filed: 01/19/2000

For: Animated Toy Utilizing Artificial
Intelligence and Facial Image
Recognition

§ Examiner: Vikkram Bali
§
§ Group Art Unit: 2623
§
§ Attorney Docket No.: TUMEY.001
§
§
§
§
§

RECEIVED

DEC 30 2003

Technology Center 2600

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of candor and good faith to disclose all information known to be material to patentability under 37 C.F.R. § 1.56, the Examiner is requested to consider the attached references.

In accordance with 37 C.F.R. § 1.97(g), this Information Disclosure Statement is not intended and should not be considered as a representation that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(b) exists.

Similarly, in accordance with 37 C.F.R. § 1.97(h), this Information Disclosure Statement is not intended and should not be considered to be an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(h).

No item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Pursuant to 37 C.F.R. § 1.98(c), no fees are believed to be required for this IDS. The Commissioner is, however, authorized to deduct any fees that may be required from Eric W. Cernyar, P.C.'s deposit account no. 502,906.

Respectfully submitted,

Eric W. Cernyar

Eric W. Cernyar

Reg. No. 45,919

(210) 863-0063 (phone)

(210) 590-9473 (fax)